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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,311	07/20/2001	Simon Alan Spacey		8619

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EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2131

6

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,311

Applicant(s)

SPACEY, SIMON ALAN

Examiner

Arezoo Sherkat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 6, and 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Franklin et al., (U.S. Patent No. 6,115,742 and Franklin hereinafter).

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Regarding claim 1, Franklin discloses a method affording privacy or anonymity on an Internet-type or other Communications medium, the method comprising:

a) establishing a secure connection between a client and an intermediary site, and b) offering or providing one or more services through or on the intermediary site to the client (Col. 7, lines 7-67 and Col. 8, lines 1-67).

Regarding claim 2, Franklin discloses a method as claimed in claim 1, wherein the services include using the intermediary site to forward communications between the client and destination sites so as to prevent one **OR** more of the following: a) any logging of details of the true destination sites the client has visited by machines capable of monitoring client transactions by means of the secure client-intermediary connection (i.e., proxy module 40 may be placed on the same host as web server and hide web server from the world), b) any logging of the contents of transactions between clients and destination sites by machines capable of monitoring client transactions by means of the secure client-intermediary connection, or c) destination sites finding-out the true origin or location of clients by means of formatting client requests to giving the destination site the impression that the intermediary site was the origin of the communication (Col. 7, lines 7-67 and Col. 8, lines 1-67).

Regarding claim 6, Franklin discloses further comprising the step of transforming links and references in the response so that any future request

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made by the client based on the response from the destination site is made by the client through the intermediary site not directly to the destination site (Col. 7, lines 7-67 and Col. 8, lines 1-67).

Regarding claims 9 and 10, Franklin discloses further comprising sending or retrieving a file by the client through the secure connection with the intermediary site and the intermediary site securely storing or retrieving the file (Col. 3, lines 32-45).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al., (U.S. Patent No. 6,115,742 and Franklin hereinafter), in view of Gabber et al., (U.S. Patent No. 5,961,593 and Gabber hereinafter), in further view of Kim et al., (U.S. Patent No. 6,701,440 and Kim hereinafter).

Regarding claims 3 and 8, Franklin discloses wherein the services include one or more of the following: a) accessing of destination Internet sites by the

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client through the secure connection with the intermediary site, and c) storing files securely on the intermediary site (Col. 7, lines 7-67 and Col. 8, lines 1-67).

Franklin does not expressly disclose actively preventing any logging by Internet servers, providers, routers or other machines associated therewith that the destination sites have been visited by the client.

However, Gabber discloses actively preventing any logging by Internet servers, providers, routers or other machines associated therewith that the destination sites have been visited by the client (Col. 7, lines 55-67 and Col. 8-10, lines 1-67).

Franklin or Gabber does not expressly disclose b) sending or receiving e-mails while any logging of either the destination, source or contents of the e-mail is actively prevented, and d) transferring messages between multiple clients connected through the intermediary as in a secure telephone, conferencing, Internet "Chat", "Message Board" service or similar.

However, Kim discloses b) sending or receiving e-mails while any logging of either the destination, source or contents of the e-mail is actively prevented, and d) transferring messages between multiple clients connected through the intermediary as in a secure telephone, conferencing, Internet "Chat", "Message Board" service or similar (Col. 6-9, lines 1-67 and Col. 10, lines 1-35).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Franklin with the teachings of Gabber because it would allow to include actively preventing any logging by Internet servers, providers, routers or other machines associated

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therewith that the destination sites have been visited by the client with the motivation to provide a method of providing substitute identifiers to a server site that allow users to browse the same anonymously via the proxy system (Gabber, Col. 3, lines 20-25), and to modify the combined teachings of Franklin and Gabber with teachings of Kim because it would allow to include b) sending or receiving e-mails while any logging of either the destination, source or contents of the e-mail is actively prevented, and d) transferring messages between multiple clients connected through the intermediary as in a secure telephone, conferencing, Internet "Chat", "Message Board" service or similar with the motivation to provide for virus scanning, sniffing, or detecting of e-mail viruses prior to the e-mail messages arriving at the destination system or server (Kim, Col. 3, lines 19-30).

Claims 4-5, 7, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al., (U.S. Patent No. 6,115,742 and Franklin hereinafter), in view of Gabber et al., (U.S. Patent No. 5,961,593 and Gabber hereinafter).

Regarding claim 4, Franklin discloses further comprising: a) accessing of destination Internet or Internet-type service sites by the client through the secure connection with the intermediary site (Col. 7, lines 7-67 and Col. 8, lines 1-67).

Franklin does not expressly disclose preventing any logging by Internet servers, providers or other machines associated therewith that the destination sites have been visited by the client.

However, Gabber discloses further comprising actively preventing any logging by Internet servers, providers or other machines associated therewith that the destination sites have been visited by the client (Col. 2, lines 58-67 and Col. 3, lines 1-11 and Col. 7, lines 55-67 and Col. 8-10, lines 1-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Franklin with the teachings of Gabber because it would allow to include actively preventing any logging by Internet servers, providers or other machines associated therewith that the destination sites have been visited by the client with the motivation to provide a method of providing substitute identifiers to a server site that allow users to browse the same anonymously via the proxy system (Gabber, Col. 3, lines 20-25).

Regarding claims 5, 17-20, Franklin discloses a method as claimed in any of the previous claims and further comprising: a) establishing the secure connection between the client and the intermediary site, b) allowing the client to use the secure connection to send a request to the intermediary site for forwarding to a destination site and g) using the secure connection to return the response back to the original client (Col. 7, lines 7-67 and Col. 8, lines 1-67).

Franklin does not expressly disclose c) transforming the request into a standard request that can be interpreted by the destination site as originating at the intermediary, d) sending the transformed client request from the intermediary to the destination site or a proxy for that site, e) receiving the requested response from the destination site at the intermediary, and f) transforming the destination response into a response identified as being from the intermediary site.

However, Gabber discloses c) transforming the request into a standard request that can be interpreted by the destination site as originating at the intermediary, d) sending the transformed client request from the intermediary to the destination site or a proxy for that site, e) receiving the requested response from the destination site at the intermediary, and f) transforming the destination response into a response identified as being from the intermediary site (Col. 7, lines 55-67 and Col. 8-10, lines 1-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Franklin with the teachings of Gabber because it would allow to include c) transforming the request into a standard request that can be interpreted by the destination site as originating at the intermediary, d) sending the transformed client request from the intermediary to the destination site or a proxy for that site, e) receiving the requested response from the destination site at the intermediary, and f) transforming the destination response into a response identified as being from the intermediary site with the motivation to accomplish the purpose of providing anonymous personalized web browsing (Gabber, Col. 7, lines 19-55).

Regarding claim 7, Franklin does not expressly disclose further comprising the intermediary site checking that a client connection remains open to the intermediary throughout a communication transaction so that destination responses can be delivered to the client and that the client is not attempting an anonymous denial of service attack on the destination site.

However, Gabber discloses further comprising the intermediary site checking that a client connection remains open to the intermediary throughout a communication transaction so that destination responses can be delivered to the client and that the client is not attempting an anonymous denial of service attack on the destination site (Col. 7, lines 55-67 and Col. 8-10, lines 1-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Franklin with the teachings of Gabber because it would allow to include the intermediary site checking that a client connection remains open to the intermediary throughout a communication transaction so that destination responses can be delivered to the client and that the client is not attempting an anonymous denial of service attack on the destination site with the motivation to allow anonymous and personalized browsing of server site by users/user sites (Gabber, Col. 5, lines 15-67).

Claims 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al., (U.S. Patent No. 6,115,742 and Franklin hereinafter), in view of Birrell et al., (U.S. Patent No. 5,805,803 and Birrell hereinafter).

Regarding claim 11, Franklin does not expressly disclose actively hindering Internet transaction sniffing.

However, Birrell discloses actively hindering Internet transaction sniffing (Col. 3, lines 50-52)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Franklin with the teachings of Birrell because it would allow to include actively hindering Internet transaction sniffing with the motivation to provide a computer implemented method for conducting secure communications with private portions of an intranet connected to a client computer via a tunnel and a public access network such as the Internet (Birrell, Col. 2, lines 20-25).

Regarding claims 12-16, Franklin does not expressly disclose wherein the secure connection is an encrypted connection.

However, Birrell discloses wherein the secure connection is an encrypted connection (Col. 3, lines 5-67 and Col. 4, lines 1-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Franklin with the teachings of Birrell because it would allow to include an encrypted connection with the motivation to provide a computer implemented method for conducting secure communications with private portions of an intranet

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connected to a client computer via a tunnel and a public access network such as the Internet (Birrell, Col. 2, lines 20-25).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Knauerhase et al., (U.S. Patent No. 6,345,303),

Gupta et al., (U.S. Patent No. 6,567,857),

Bakshi et al., (U.S. Patent No. 6,345,300), and

Clayton et al., (U.S. Publication No. 2002/0199007).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (703) 305-8749/(571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

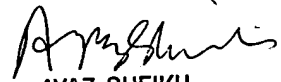
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648/(571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arezoo Sherkat
Patent Examiner
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Sep. 3, 2004



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